

Application Number: 10/604,639

Art Unit: 2636

REMARKS:

The official Office Action, together with the cited references have been studied and our amended application has been reviewed in light of the Examiner's remarks.

We note that the Examiner raises new ground(s) for the rejection of claim 4 and now finds that the annunciation of lockset tampering, upon detected lockset contact that is not timely followed by keyed unlocking, is unpatentable over Soloway in view of Guim et al. [U.S. 5,680,094].

We also note the Examiner's finding, that our amended primary claims 1-3, with the added limitation of tampering detection specified to be tampering of the mechanical lockset proper, is nonetheless still deemed to be unpatentable over Soloway's apparatus to detect tampering with his sensor of bolt position, a sensor used solely to arm or disarm a conventional ADT, Chubb or the like home security system: that is, a sensor serving solely as a substitute for the keypad normally used for this arming and disarming of such security systems. That the examiner fully appreciates the distinction between tampering with this substitute (keypad) switch and the lock proper is made clear with Examiner's comment "Further, the reed switch and deadbolt position switch the applicant refers to can still result in tampering with the lockset system" (pp 6, lines 7 and 8). We also believe that the Examiner appreciates that successful tampering with the lockset proper of the Soloway apparatus, tampering that results in withdrawal of the lock's bolt and consequent disarming of the security system so armed and disarmed, will not be detected and will provide the intruder with access to the dwelling thus rendered unprotected and do so without alarm¹.

Because we believe the Examiner has understood, fully considered and rejected the arguments made for allowance of amended Claims 1-4, 6, 8 and 11, we respectfully, and without prejudice, cancel those claim.

In accord with the Examiner's indication of allowable subject matter, we have amended the objected-to claims to overcome the Examiner's objection to the dependence of these claims upon a rejected base claim. To this end, Claims 5, 9 and 12 have been rewritten in independent form including all of the limitations of base and intervening claims. while claims 7, 10 and 13-18 are amended to show their dependence on amended claims 5, 9 or 12.

Please enter and accept this document as a response to the Official Office Action with mail date of November 28, 2005. This paper has been posted in the United States Postal Service, with proper postage and address, within two months of the mail date of November 28, 2005.

¹ See Soloway Col. 8, lines 3-6

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No new matter is introduced to this application. No new claims are added and no additional fee is required.

It is respectfully submitted that amendments submitted herein serve to overcome Examiner's objection to Claims 5, 7 ,9, 10 and 12-19 and thereby place this application in a condition for allowance.

Respectfully Submitted,



Robert S. Meijer
Applicant/Inventor